



HAMILTON, BROOK, SMITH & REYNOLLS, P.C.
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FACSIMILE COVER SHEET

Examiner: Robert Gerstl **Group:** 1626

Date: June 19, 2002

Client Code: 2134

Facsimile No.: 703-308-7922

From: Susan M. Abelleira 42,252

Susan M. Abelleira

Subject: Papers: Second Preliminary Amendment(6 pages)
Statement of Status and Support of All Claims (3 pages)
Amendment Fee Letter w/copy (4 pages)

Docket No.: 2134.2006-001

Applicants: Raymond J. Bergeron, Jr.

Serial No.: 09/981,586 (Reissue of U.S. Patent No. 6,083,966)

Filing Date: October 17, 2001

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Number of pages including this cover sheet: 14

Please confirm receipt of facsimile: Yes No

Comments:

Dear Examiner Gerstl:

As we discussed earlier today, attached is the Second Preliminary Amendment and associated filing papers for filing in the above-referenced Reissue application.

Respectfully,
Susan M. Abelleira

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REISSUE APPLICATION FEE TRANSMITTAL FORM

Application Number:
09/981,586

Claims as Filed - Part 1

| Claims in Reissue Application | | Number Filed in Reissue Application | (3) Number Extra | Small Entity | | Other than a Small Entity | |
|-------------------------------|--|-------------------------------------|---------------------|----------------------------|-----|---------------------------|-----|
| (A) | Total Claims (37 CFR 1.16(j)) | (B) | **** = | Rate | Fee | Rate | Fee |
| (C) | Independent claims (37 CFR 1.16(i)) | (D) | * = | x \$ | = | x \$ | = |
| | | | | Basic Fee (37 CFR 1.16(h)) | | \$ | |
| | | | | Total Filing Fee | | \$ | |
| | | | | | | OR | \$ |

Claims as Amended - Part 2

| | (1) Claims Remaining After Amendment | | (2) Highest Number Previously Paid For | (3) Extra Claims Present | Small Entity | | Other than a Small Entity | |
|--|--|-------|---|-----------------------------------|----------------------|-----|---------------------------|------|
| | | | | | Rate | Fee | Rate | Fee |
| Total Claims (37 CFR 1.16(j)) | *** 29 | MINUS | ** 30 | * = | x \$ | = | x \$ 18 | = 0 |
| Independent Claims (37 CFR 1.16(i)) | *** 6 | MINUS | ***** 6 | = | x \$ | = | x \$ 84 | = 0 |
| | | | | | Total Additional Fee | | \$ | |
| | | | | | | | OR | \$ 0 |

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims.

**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 08-0380.
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ _____ to cover the filing / additional fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 19, 2002
Date

Susan M. Abelleira, 42,252
Signature of Applicant, Attorney or Agent of Record

Susan M. Abelleira

Typed or printed name

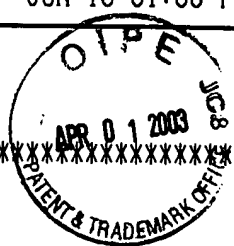
TRANSACTION REPORT

P. 01

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TOTAL : 2M 4S PAGES: 14



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Docket No.: 2134.2006-001

Applicants: Raymond J. Bergeron, Jr.

Serial No.: 09/981,586 (Reissue of U.S. Patent No. 6,083,966)

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Raymond J. Bergeron, Jr.

Reissue Application No.: 09/981,586 (Reissue of U.S. Patent No. 6,083,966)

Filed: October 17, 2001

For: THIAZOLINE ACID DERIVATIVES

| | |
|--|---------------------------|
| CERTIFICATE OF FACSIMILE TRANSMISSION | |
| I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: | |
| on <u>June 19, 2002</u> | <u>Susan M. Abelleira</u> |
| Date | Signature |
| <u>Susan M. Abelleira</u> | |
| Typed or printed name of person signing certificate | |

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith is a Second Preliminary Amendment for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown on the attached sheet:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J. Bergeron, Jr.
Application No.: 09/981,586 Group: 1626
Filed: October 17, 2001 Examiner: Robert Gerstl
Confirmation No.: 7212
For: THIAZOLINE ACID DERIVATIVES

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| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202 | |
| on <u>3/28/03</u> | <u>Rachel Cohen</u> |
| Date | Signature |
| RACHEL COHEN | |
| Typed or printed name of person signing certificate | |

REQUEST TO WITHDRAW OFFICE ACTION

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This paper is being filed to request withdrawal of the Office Action dated January 31, 2003. The action failed to consider the Supplemental Preliminary Amendment dated June 19, 2002. A copy is enclosed together with the fax confirmation of receipt.

A personal interview prior to issuing a new Office Action is hereby requested.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


Carolyn S. Elmore

Registration No. 37,567

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 3/27/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Raymond J. Bergeron, Jr.

Reissue Application No.: 09/981,586 (Reissue of U.S. Patent No. 6,083,966)

Filed: October 17, 2001

For: THIAZOLINE ACID DERIVATIVES

| | |
|---|---------------------------|
| CERTIFICATE OF FACSIMILE TRANSMISSION | |
| I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: | |
| on <u>June 19, 2002</u> | <u>Susan M. Abelleira</u> |
| Date | Signature |
| <u>Susan M. Abelleira</u> | |
| Typed or printed name of person signing certificate | |

STATEMENT OF STATUS AND SUPPORT FOR ALL CLAIMS

Assistant Commissioner for Patents

P.O. Box 2327

Arlington, VA 22202

Sirs:

This paper is being filed in accordance with 37 C.F.R. §1.173(c) to provide the status of all patent claims, as of the date of this amendment. In addition, an explanation of the support in the disclosure of the patent for the all changes made to the claims as set forth in the Second Preliminary Amendment being filed concurrently and the Preliminary Amendment submitted upon filing of the Reissue Application on October 17, 2001, is provided.

STATUS OF CLAIMS

As of the date of the Second Preliminary Amendment being filed concurrently herewith, originally issued Claims 1-22 and 24-27 are pending. Claim 23 has been cancelled.

SUPPORT FOR CLAIM CHANGES

The following list identifies support for amended Claims 1, 4, 6, 10, 12-15, 20-22 and 24-25 as required by 37 C.F.R. § 1.173(c). Claims 4, 6, 12-15 and 22 remain as amended in the Preliminary Amendment submitted to the Office upon filing of the Reissue Application (October 17, 2001). Claims 10, 20, 21, 24 and 25 are being amended for a second time. All amendments are made relative to the claims of the issued patent. In many cases, additional support for a particular claim can be found elsewhere in the specification.

Claims 2-3, 5, 7-9, 11 and 16-19 are originally issued Claims of United States Patent No. 6,083,966 and remain pending in this reissue application.

Claim 23 has been cancelled by Preliminary Amendment submitted to the Office on October 17, 2001 upon filing of the Reissue Application.

| CLAIM | STATUS | SUPPORT |
|-------|---------------------------|--|
| 1 | Amended/Pending | See Col. 3, lines 15-37. |
| 4 | Amended/Pending | See Col. 4, line 62. |
| 6 | Amended/Pending | See Col. 4, line 62. |
| 10 | Twice Amended/ Pending | See Col. 4, line 62. |
| 12 | Amended/Pending | See Col. 4, line 62. |
| 13 | Amended/Pending | See Col. 3, lines 10-35. |
| 14 | Amended/Pending | See Col. 3, lines 10-35. |
| 15 | Amended/Pending | See Col. 3, lines 10-35. |
| 20 | Twice Amended/ Pending | See Col. 4, lines 9-20 and Col. 5, lines 1-21 and issued Claim 20. |

| | | |
|----|---------------------------|---|
| 21 | Twice Amended/ Pending | See Col. 4, lines 9-20 and Col. 5, lines 1-21 and issued Claim 21. |
| 22 | Amended/Pending | See Col. 4, lines 9-20 and Col. 5, lines 1-21. |
| 24 | Twice Amended/ Pending | See Col. 4, lines 21-30 and Col. 5, lines 1-21 and issued Claim 24. |
| 25 | Twice Amended/ Pending | See Col. 4, lines 21-30 and Col. 5, lines 1-21 and issued Claim 25. |

CONCLUSION

In view of the above, it is believed that the requirements of 37 C.F.R. § 1.173(c) are fulfilled. Further, it is believed that all pending claims (Claims 1-22 and 24-27) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 341-0036.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Susan M. Abelleira

Susan M. Abelleira
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Concord, Massachusetts 01742-9133

Dated: June 19, 2003